

THURSDAY, MARCH 7, 1985

NINETEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Vance King, Eagleville Baptist Church, Eagleville, Tennessee.

Representative Hobbs led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 95

Representatives present were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

The Speaker announced that Representative Wix was excused because of illness.

The Speaker announced that Representative Ellis was excused because of business.

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The Speaker announced that Representative Bragg was excused because of business.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 85; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

116--Relative to honoring Aerojet Heavy Metals Company;

132--Relative to expressing support, federal funding, certain research, U. T. Space Institute; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1024--To amend Charter, Bolivar; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 72, 74, 75, 76, 80, 81, 82, 84, 86, 87, 88, 95, 103 and 126; also, House Bills Nos. 728 and 788; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 89, 91, 94, 97, 98, 99, 101, 108 and 121; also, House Bill No. 446; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 446, 728 and 788; and House Joint Resolutions Nos. 72, 74, 75, 76, 80, 81, 82, 84, 86, 87, 88, 89, 91, 94, 95, 97, 98, 99, 101, 103, 108, 121 and 126; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 1024; House Joint Resolutions Nos. 116 and 132; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 1024; House Joint Resolutions Nos. 116 and 132; and Senate Bill No. 85.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

322--To regulate motor carrier authorization permits;

323--To regulate safety inspection, certain motor vehicles;

324--To require restitution, certain injured persons;

494--To amend Tennessee Time Share Act; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint

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Resolutions Nos.:

109--Relative to commending Tabernacle Baptist Church;

110--Relative to expressing sorrow, death of Mrs. Emma Anderson Cortner;

111--Relative to commending Elaine Butner;

112--Relative to congratulating Howard Penuel;

113--Relative to commending Franklin Hughes Brown;

114--Relative to commending Herbert W. Kaiser; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

131--To regulate sale of fireworks; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 169, 269 and 285; also, Senate Joint Resolutions Nos. 46 and 58; all for the signature to the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 169, 269 and 285; and Senate Joint Resolutions Nos. 46 and 58.

COMMITTEE APPOINTMENT

The Speaker announced that he had appointed Representative Treadway as a member of the following committees: Conservation and Environment and Transportation.

CALENDAR

House Bill No. 281--To amend Section 8-50-101, Code.

On motion, House Bill No. 281 was made to conform with Senate Bill No. 124.

On motion, Senate Bill No. 124, on same subject, was substituted for House Bill No. 281.

Mr. Dills moved that Senate Bill No. 124 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 662--To make certain provisions, Interstate Correction Compact.

Mr. Huskey moved that House Bill No. 662 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey,

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McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 349--To make certain provisons, Probate Court, Shelby County.

Mr. Turner, C. (Shelby) moved that House Bill No. 349 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 275--To abolish juvenile court jurisdiction, certain criminal offenses.

Mr. Scruggs moved that House Bill No. 275 be passed on third and final consideration.

Mr. Turner, C. (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 275 by deleting Sections 1, 2, and 3 in their entirety and substituing instead the following:

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SECTION 1. Tennessee Code Annotated, Section 57-3-412, is amended by deleting the third and fourth sentences of subsection (a) (3) and substituting instead the following:

Any person under the age of twenty-one (21) years found to have violated the provisions of this subdivision shall, regardless of the final disposition of such violation, have the right to have the records, as defined in Tennessee Code Annotated, Section 40-32-101, of such violation destroyed after the passage of six (6) months from the date of the violation. Such destruction shall occur upon motion of the person to the court which heard the violation and shall be without cost to such person.

SECTION 2. Tennessee Code Annotated, Section 57-5-301, is amended by deleting the final sentence of subsection (e) (1).

SECTION 3. Tennessee Code Annotated, Section 57-5-301, is further amended by deleting subsection (e) (2) in its entirety and substituting instead the following:

(2) Any person under the age of twenty-one (21) years found to have violated the provisions of this subsection shall, regardless of the final disposition of such violation, have the right to have the records, as defined in Tennessee Code Annotated, Section 40-32-101, of such violation destroyed after the passage of six (6) months from the date of the violation. Such destruction shall occur upon motion of the person to the court which heard the violation and shall be without cost to such person.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 275, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann,

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Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

Representatives voting no were: Copeland and McAfee--2.

A motion to reconsider was tabled.

House Bill No. 134--To provide for citations in lieu of arrest, certain traffic violators.

Mr. Kent moved that House Bill No. 134 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representative voting no was: Moody--1.

A motion to reconsider was tabled.

House Bill No. 455--To regulate certain hauling operations.

On motion, House Bill No. 455 was made to conform with Senate Bill No. 342.

On motion, Senate Bill No. 342, on same subject, was substituted for House Bill No. 455.

Mr. DePriest moved that Senate Bill No. 342 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb,

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Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 691--Work, Davidson, McNally, Naifeh, Jared, Peroulas, Severance, McCroskey, Collier, Curlee, Cross, Webb, Wheeler, Buck, Bell, Phillips, Kent, Wood, Burnett, Frensley, Crain, Murphy, West, Stallings, Miller, Hurley, Whitson, Ridgeway, Davis (Cocke), Huskey, Robinson (Washington), Montgomery, Yelton, Harrill, Moore (Sullivan), Hobbs, Davis (Gibson), Ivy, Lawson, Clark (Sumner), Swann, Turner, L. (Shelby), Dills, Tanner, Hillis.

House Bill No. 691--To change the annual term of compulsory school attendance.

Mr. Naifeh moved that House Bill No. 691 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	3
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

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(Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: Chiles, Cobb and Henry--3.

Representative present and not voting was: Murphy--1.

A motion to reconsider was tabled.

House Bill No. 296--To amend Section 7-82-501, Code.

On motion, House Bill No. 296 was made to conform with Senate Bill No. 129.

On motion, Senate Bill No. 129, on same subject, was substituted for House Bill no. 296.

Mr. Rhinehart moved that Senate Bill No. 129 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representative voting no was: Henry--1.

A motion to reconsider was tabled.

House Bill No. 279--To regulate ginseng dealers.

Mr. Rhinehart moved that House Bill No. 279 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb,

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Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 59--To provide for state assistance, regional development plans.

Mr. Rhinehart moved that House Bill No. 59 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	7
Present and not voting	3

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Work, Yelton and Mr. Speaker McWherter--83.

Representatives voting no were: Chiles, Clark (Sumner), Davis (Knox), Harrill, McNally, Stafford and Wood--7.

Representatives present and not voting were: Gafford, Ivy and Napier--3.

A motion to reconsider was tabled.

CONSENT CALENDAR

OBJECTION

An objection was filed to the following bill on the Consent

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Calendar:

Mr. Winningham objected to House Bill No. 735.

Mr. Winningham moved that House Bill No. 735 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Senate Joint Resolution No. 60--Relative to congratulating Coach Bruce Stewart and MTSU basketball team.

House Joint Resolution No. 133--Relative to expressing sorrow, death of William Nail "Billy" Wooten.

House Joint Resolution No. 134--Relative to commending Keith Miles.

House Joint Resolution No. 136--Relative to honoring Ellen Davies-Rodgers.

House Bill No. 265--To establish nepotism policy, Haywood County.

House Bill No. 825--To add member, Pickett County School Board.

House Bill No. 1021--To regulate terms of office, Mayor of Gainesboro.

House Bill No. 1034--To make certain provisions, Coffee County Hospital District.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

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A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 11--To increase membership, motor vehicle commission.

SENATE AMENDMENT NO. 1

Amend House Bill No. 11 by deleting from Section 4, the date "July 1, 1984" and by substituting instead the date "July 1, 1985".

Mr. Rhinehart moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 294--To provide for repayment, erroneous tax relief overpayments.

SENATE AMENDMENT NO. 1

Amend House Bill No. 294 by deleting in the twelfth line of the amendatory language of Section 1 the words "they are" and by substituting in lieu thereof the words: "he or she may be".

Mr. Rhinehart moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

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Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Mr. Drew, House Bill No. 1002 was recalled from the Committee on Judiciary.

On motion of Mr. Drew, House Bill No. 1002 was withdrawn from the House.

On motion of Mr. Gill, House Bill No. 459 was recalled from the Committee on Commerce.

On motion of Mr. Gill, House Bill No. 459 was withdrawn from the House.

BILL RE-REFERRED

On motion of Mr. Murphy, House Bill No. 948 was recalled from the Committee on Labor and Consumer Affairs.

On motion of Mr. Murphy, House Bill No. 948 was referred to the Committee on Judiciary.

SECOND ROLL CALL

A roll call was taken with the following results:

Present	95
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Representatives present were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills,

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Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

48--Relative to honoring 1984 Lincoln County High School football team;

49--Relative to congratulating Coach Wayne Peters and Soccer team;

51--Relative to honoring Hillsboro High School SophistiCats;

55--Relative to commending Reverend Lester Basken;

57--Relative to honoring Bob McDill;

59--Relative to honoring Rural Electrification Administration; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Love moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 57 out of order, which motion prevailed.

Senate Joint Resolution No. 57--Relative to honoring Bob McDill.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Love, the resolution was concurred in.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 137--Relative to commending Mrs. Helen Young Clift--By Phillips.

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Under the rules, House Joint Resolution No. 137 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 138--Relative to honoring Mrs. Sidney Harris--By Phillips.

Under the rules, House Joint Resolution No. 138 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 139--Relative to proclaiming March 6, 1985, as "Chapter I Day" in Tennessee--By Dixon.

The Speaker referred House Joint Resolution No. 139 to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1039--To amend Shelby County Restructure Act--By Jones.

Passed first consideration.

House Bill No. 1040--To amend Charter, Red Boiling Springs--By Winningham.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1036--To amend Section 67-6-102, Code.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1037--To amend Charter, Lawrenceburg.

Passed second consideration and held without reference.

House Bill No. 1038--To amend Charter, Fayetteville.

Passed second consideration and held without reference.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 11, 1985: House Bills Nos. 98, 193, 540, 507, 611, 447 and 341.

GILL, Chairman.

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LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1029, 1037 and 1038.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, March 11, 1985: House Joint Resolutions Nos. 137, 138, 139 and House Bills Nos. 1029, 1037 and 1038.

GILL, Chairman.

SPONSOR ADDED

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the resolution as indicated below, the prime sponsor having agreed to such addition:

House Joint Resolution No. 136--Naifeh.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1024; also House Joint Resolutions Nos. 116 and 132; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 1024; and House Joint Resolutions Nos. 116 and 132; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 59, 134, 265, 275, 279, 349, 662,

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691, 825, 1021 and 1034; House Joint Resolutions Nos. 133, 134 and 136; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

197--To regulate conflicts of interest, municipal officials;

198--To regulate purchases, local governments through state contracts;

199--To regulate investment, idle funds by municipalities;

213--To enact Tennessee Allocation Plan for Private Activity Bonds and Student Loan Bonds;

233--To provide Courts of General Session, recover personal property;

367--To regulate tax, material severance from ground;

583--To regulate composition, County Board of Equalization; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Naifeh, the House adjourned until 5:00 p.m., Monday, March 11, 1985.